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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL IZELL SEALS,

Plaintiffs,

vs.

OFFICER RODNEY K. MITCHELL, et al.,

Defendants.

) NO. C-04-3764 NJV

)

) **STIPULATION AND ORDER**
) **REGARDING IN CAMERA REVIEW**
) **OF PERSONNEL AND OTHER**
) **OFFICIAL RECORDS**

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IT IS HEREBY STIPULATED by and between the parties to this action, by and their
respective counsel, as follows:

1. Plaintiff has filed this 42 U.S.C. section 1983 action against Defendants John Rynhart
and Lyle Thomas alleging a single cause of action for excessive force.

2. Plaintiff has requested, by Request for Production of Documents to Defendants John

STIPULATION AND ORDER RE IN CAMERA REVIEW OF PERSONNEL RECORDS
CASE NO. C-04-3764 NJV

1 Rynhart and Lyle Thomas and Deposition Subpoena to Lake County Sheriff's Department, the
2 production of various official records of the County of Lake, including:

- 3 a. the complete employment, training, performance and personnel records of
4 Deputy John Rynhart and of Deputy Lyle Thomas and diaries and other
5 writings maintained in the course of their employment as peace officers; and
6 b. internal and external investigations, inquiry or commentary regarding the
7 February 5, 2003 arrest of Plaintiff and all events relating to this arrest.

8 3. In response to Plaintiff's Request for Production of Documents and Deposition
9 Subpoena, to the extent these documents exist and are located, Lake County Sheriff's Department
10 and Defendants will produce to the court for *in camera* review the requested records.

11 4. Following *in camera* review, the court will determine the content of these records
12 relevant to claims in this action and/or that pertain to how the defendant officers may have conducted
13 themselves in performance of their duties in regard to this incident.

14 5. Upon the court's identification of relevant official records, these records shall be
15 produced to Plaintiff pursuant to the stipulated protective order regarding production of documents
16 alleged to be confidential and/or privileged.

17 Dated: October 8, 2010

18 LATHAM & WATKINS LLP

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20 By: /s/ Meghna Subramanian
MEGHNA SUBRAMANIAN
Attorneys for Plaintiff

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23 Dated: October 8, 2010

JONES & DYER

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25 By: /s Mark A. Jones
MARK A. JONES
Attorneys for Defendants John Rynhart and Lyle
26 Thomas
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ORDER

Pursuant to stipulation, it is so ordered. Defendants and Lake County Sheriff's Department are to submit the documents referenced herein to the Court for review on or before October 12, 2010.

Dated: October 12, 2010

